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**Date:** 12 December 2003

**To:** Examiner Gina C. Yu  
US Patent and Trademark Office  
Tel. No. 703-308-3951  
Fax: 703-308-4242

**Subject:** USSN 09/744,642  
Our Ref.: Beiersdorf 702-HCL

**From:** Howard C. Lee

**Comments:** Filing of: Notice of Appeal (2 pgs.); Fee Transmittal (in duplicate); Petition for One Month Extension of Time (2 pgs.)

If you have any questions or need further information, please contact us.

You should receive 7 pages including this cover sheet.

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PTO/SB/17 (10-03)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$440.00

**Complete if Known**

Application Number	09/744,642
Filing Date	January 26, 2001
First Named Inventor	Gery Barlag
Examiner Name	Cinn C. Yu
Art Unit	1617
Attorney Docket No.	100718-281/ Belersdorf 702

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																																									
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <b>Norris, McLaughlin &amp; Marcus</b> Deposit Account Name: <b>14-1263</b> The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<b>3. 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Howard C. Lee	Registration No. (Attorney/Agent)	48,104
Signature	Howard C. Lee	Telephone	212-808-0700
		Date	December 12, 2003

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** \$440.00**Complete if Known**

Application Number	09/744,642
Filing Date	January 26, 2001
First Named Inventor	Gers-Barlag
Examiner Name	Gina C. Yu
Art Unit	1617
Attorney Docket No.	100718-281/ Beiersdorf 702

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																									
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <b>Norris, McLaughlin &amp; Marcus</b> Deposit Account Name: <b>14-1263</b> The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051 150</td> <td>2051 85</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052 50</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053 150</td> <td>1053 150</td> <td>Non - English specification</td> <td></td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804 920*</td> <td>1804 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805 1,840*</td> <td>1805 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> <td>110.00</td> </tr> <tr> <td>1252 420</td> <td>2252 210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253 950</td> <td>2253 475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254 1,480</td> <td>2254 740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255 2,010</td> <td>2255 1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401 330</td> <td>2401 165</td> <td>Notice of Appeal</td> <td>330.00</td> </tr> <tr> <td>1402 330</td> <td>2402 165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403 280</td> <td>2403 145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451 1,510</td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452 110</td> <td>2452 55</td> <td>Petition to revive - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Howard C. Lee	Registration No. (Attorney/Agent)	48,104
Signature	Howard C. Lee	Telephone	212-808-0700
		Date	December 12, 2003

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PTO/SB/31(06-03)

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**Docket Number (Optional)  
100718-281Beiersdorf 702 HCL**CERTIFICATE OF FACSIMILE TRANSMISSION**I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 12<sup>th</sup> day of December, 2003.

Agata Glinka

In re Application of  
Heinrich Gers-Barlag et alApplication Number  
09/744,642Filed  
January 26, 2001For  
Emulsifier-Free Finely Dispersed Systems...Art Unit  
1617Examiner  
Gina C. Yu

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated August 13, 2003 finally rejecting claims 1-11.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00 ☐

Applicant claims small entity status. See

37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is : \$.

- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

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I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☐ attorney or agent of record.  
Registration \_\_\_\_\_
- ☒ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) 48,104

December 12, 2003

Date

(212) 808-0700

Telephone Number

Howard C. Lee  
SignatureHoward C. Lee

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

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